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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,537	02/26/2002	Manuel Martin Sanchez	BARDP0117US	6352

7590 04/27/2004

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EXAMINER

KIM, CHONG HWA

ART UNIT	PAPER NUMBER
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3682

DATE MAILED: 04/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,537

Applicant(s)

SANCHEZ ET AL.

Examiner

Chong H. Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/18/03 & 2/5/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 17 is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 9, 12-16, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 10, 11, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

The Examiner acknowledges the applicant's Amendments filed Dec 18, 2003 and Feb 5, 2004 in response to the Office action made on Sep 11, 2003 and canceling of claim 7.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5 and 16 recite the limitation "the snapping hooks" in line 17. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-3, 8, 9, 12-14, 18, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kelley et al., U.S. Patent 5,682,797.

Kelley et al. shows, in Figs. 1-4, a connecting element 10 for releasably connecting a first part with a second part, comprising;

a housing 22 which is rigidly attached to the first part 16;

an engaging element 24 attached to the second part 18;

a slide 26 with a receiving element 30 complementary shaped to the engaging element for releasable connection of the engaging element with the receiving element, the slide being slidable inside the housing from a first position (Fig. 3) to a second position (Fig. 4) for latching together the engaging element and the receiving element;

at least one latch (68 or the part of 36 that extends laterally) for fixing the slide in the second position;

at least one release member (the lever 60 or the part of 36 that extends vertically) extending outwardly from the housing for manually acting onto the at least one latch to release the slide from the second position for unlatching the releasable connection between the engaging element and the receiving element in order to separate the two parts from each other, or to separate the engaging element and housing (as shown in Fig. 1);

wherein the at least one latch includes two snapping hooks and the at least one release member includes at least one release lever;

wherein the at least one release lever is provided as two extensions of the two snapping hooks extending over the edge of the housing;

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wherein a damping element 47 (since o-ring is a rubber material and a rubber material, by nature, is a damping device) for damping the transmission of vibration between the two parts is provided inside the housing; and

wherein the damping element is arranged between a bushing 45 (where the damping element 47 is disposed) and the housing.

5. Claims 1, 4, 5, 12, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Corbett et al., U.S. Patent 5,937,705.

Corbett et al. shows, in Figs. 1-5, a connecting element 16 for releasably connecting a first part with a second part, comprising;

a housing 62 which is rigidly attached to the first part 56A;

an engaging element 100 attached to the second part 102;

a slide 72 with a receiving element 76 complementary shaped to the engaging element for releasable connection of the engaging element with the receiving element, the slide being slidable inside the housing from a first position (Fig. 2) to a second position (Fig. 4) for latching together the engaging element and the receiving element;

at least one latch 82 for fixing the slide in the second position;

at least one release member 104A and 104B extending outwardly from the housing for manually acting onto the at least one latch to release the slide from the second position for unlatching the releasable connection between the engaging element and the receiving element in order to separate the two parts from each other, or to separate the engaging element and housing;

wherein the slide slides along a bushing 90 extending through the housing; and

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a recess 96 for a snapping hook 84 provided inside the bushing to preliminary fix the slide for facilitating the connecting of the engaging element with the receiving element in the first position.

Allowable Subject Matter

6. Claims 6 and 17 are allowed.
7. Claims 10, 11, 20, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1-6 and 8-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chong H. Kim whose telephone number is (703) 305-0922. The examiner can normally be reached on Tuesday - Friday; 8:00 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Bucci can be reached on (703) 308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

chk
April 21, 2004


CHONG H. KIM
PRIMARY EXAMINER